REMARKS

Reconsideration and allowance are respectfully requested.

Minor amendments are made to correct antecedent basis and punctuation in several claims as well as remove several references in parentheses. The Examiner properly did not give them any consideration during the examination of the claims.

Claims 1-29 stand rejected under 35 USC §103 as being unpatentable over Besset in view of newly-applied Yuen. The rejection is respectfully traversed.

Besset discloses a method of managing a data buffer comprising a queue of consecutive segments of data packets in a base station system of a communications system. See the Abstract; column 1, lines 6-8; column 4, lines 33-37. A base station system identifies a complete data packet (AAL2 SDU) based on a user-to-user interface (UUI) field included in CPS packet segments. See column 2, lines 59-63; column 5, lines 10-15, 26-29, 40-43; column 6, lines 1-20; column 9, lines 27-30; column 10, lines 31-42. The base station system discards the identified complete data packet. See column 4, lines 41-43; column 5, lines 19-23, 57-61; column 6, lines 8-20.

Besset fails to disclose that the base station system compares a size of a data packet segment with a size of a next consecutive data packet segment in the buffer. In the office action, the Examiner refers to column 2, lines 4-12 as allegedly disclosing this feature. This text only teaches that data packets can be segmented. But there is no disclosure of comparing sizes of consecutive data packet segments and identifying a complete data packet based on that comparison. Instead, Besset stresses that the CPS-UUI field value in the header of the CPS packets (data packet segments) is used to identify a complete AAL2 SDU frame (complete data packet). If the UUI value is 27, more data is required and the received SDU (data packet) is not

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complete, whereas a UUI value equal to 26 indicates reception of the last data of the SDU (data packet) and the SDU is complete. Column 3, lines 3-6.

Moreover, rather than discarding an identified complete data packet from a buffer, Besset teaches discarding data packets **before** entering the data in the buffer. See column 4, lines 41-43 as well as claim 1 in Besset.

Yuan relates to buffer management and discloses discarding or entering data in a buffer of a relay switch. See abstract; column 1, lines 63-65; column 2, lines 11-18 and 49-53. Yuan describes segmenting data packets into a number of cells. See column 1, lines 16-17; column 3, lines 13-18. The relay switch identifies the cells belonging to a complete data packet based on information included in the header of the cells. See column 3, lines 62-67; column 4, lines 30-33. The first cell of a data packet contains information in its ATM cell that identifies it as the first cell of a data packet (column 3, lines 62-67). Remaining cells belonging to the same data packet include a respective decrementing counter field in the header CRC field or in controller 420 that explicitly conveys the number of remaining cells in the data packet (column 4, lines 30-38).

After receiving the first cell of a data packet, Yuan assesses whether the queuing buffer can store all the cells for this data packet. See the Abstract and column 2, lines 8-18. If it can, the first cell and following cells belonging to the same data packet are entered in the buffer; otherwise, the first cell and the rest of the cells of the data packet are discarded and never enter the buffer. See abstract; column 2, lines 8-18; column 3, lines 44-46; column 5, lines 46-51; and column 6, lines 6-8 and 14-15.

Thus, combining Besset and Yuan produces a system that conditionally stores segments in a data buffer and uses header information to identify the first segment and following segments

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belonging to the same data packet and to determine whether the enter the segments in the buffer or discard all the segments of the data packet prior to entry in the buffer. Both Besset and Yuan identify segments in the form of retrieval of header information: Besset uses a CPS-UUI field in the header of CPS packets to identify a complete AAL2 SDU frame and Yuan uses a first cell identifier of ATM cell header and decrementing counter field in the header CRC field. Neither compares the sizes of consecutive data packet segments in order to identify a complete data packet, as recited in independent claims 1, 5, 10, and 20. In contrast, the combination of Besset and Yuan extracts information from the header field in the data packet segments and uses this information to identify a complete data packet.
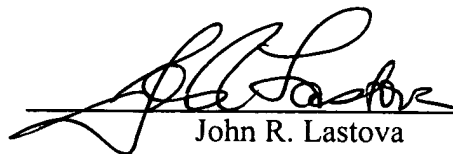
Additionally, both Besset and Yuan decid whether to enter segments in a buffer or to discard segments <u>prior</u> to entry in the buffer. So neither teaches that an identified complete data packet is discarded <u>from a buffer</u> that contains the segments of the data packet, as recited in independent claims 1 and 5.

The application is in condition for allowance. An early notice to that effect is earnestly solicited.

Respectfully submitted,

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